

870324

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, MARCH 24, 1987  
AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:14 a.m. The meeting was recessed by Mayor O'Connor at 12:08 p.m.

The meeting was reconvened by Mayor O'Connor at 2:05 p.m. with Council Members McColl, Jones, Struiksmas and Ballesteros not present, and immediately recessed to convene as the Redevelopment Agency. The meeting was reconvened by Mayor O'Connor at 2:11 p.m. with Council Members McColl and Jones not present. The meeting was recessed by Mayor O'Connor at 3:06 p.m. to reconvene as the Redevelopment Agency. The meeting was reconvened by Mayor O'Connor at 3:25 p.m. with Council Member McColl not present. Mayor O'Connor adjourned the meeting at 5:00 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
  - (1) Council Member Wolfsheimer-present
  - (2) Council Member Cleator-present
  - (3) Council Member McColl-excused by R-268136  
(City business relating to the Olympic Committee Task Force)
  - (4) Council Member Jones-present
  - (5) Council Member Struiksmas-present
  - (6) Council Member Gotch-present
  - (7) Council Member McCarty-present
  - (8) Council Member Ballesteros-present
- Clerk-Abdelnour (bb:jb)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-not present
- (4) Council Member Jones-present
- (5) Council Member Struiksmas-present
- (6) Council Member Gotch-present

- (7) Council Member McCarty-present
- (8) Council Member Ballesteros-present

ITEM-301: INVOCATION

Invocation was given by Reverend Norman D. Self,  
Wesley Foundation, United Methodist Campus Ministry,  
San Diego State University.

FILE LOCATION: MINUTES

Mar-24-1987

ITEM-302: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member  
McCarty.

FILE LOCATION: MINUTES

ITEM-30: (R-87-1750) ADOPTED AS RESOLUTION R-267893

Accepting the generous donation of \$12,800 from Martin and  
Enid Gleich to fund specific recreation programs in the  
Central and Southeast San Diego Communities; expressing for  
and on behalf of the people of San Diego, the City's  
appreciation and gratitude to Martin and Enid Gleich for  
their generous donation and continuing financial support.  
(Southeast and Central San Diego Community Areas.  
Districts-4 and 8.)

CITY MANAGER REPORT: Martin and Enid Gleich have contributed  
a cash amount of \$12,800 to be used for specific recreation  
projects in the Southeast and Central San Diego Communities.  
The funds were specified for the following items:

- \$5,000 - Ballet bars and mirrors for dance programs at  
Memorial Recreation Center, Southcrest Recreation Center,  
Southeast Sports Field, Mt. View Recreation Center, Golden  
Hill Recreation Center and Stockton Recreation Center.
- \$2,000 - Game room and craft room supplies.
- \$5,800 - Summer After School Program at Kennedy Elementary  
School.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A029-036.)

MOTION BY JONES TO ADOPT. Second by Ballesteros. Passed by the  
following vote: Wolfsheimer-yea, Cleator-yea, McColl-not  
present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,  
Ballesteros-yea, Mayor O'Connor-yea.

ITEM-31: (R-87-1786) ADOPTED AS RESOLUTION R-267945

Authorizing suggestion awards and making a presentation to  
Ralph Davis - Park and Recreation Department - \$500.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A037-040.)

MOTION BY JONES TO ADOPT. Second by Struiksma. Passed by the  
following vote: Wolfsheimer-yea, Cleator-yea, McColl-not  
present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,  
Ballesteros-yea, Mayor O'Connor-yea.

ITEM-32: (R-87-1787) ADOPTED AS RESOLUTION R-267946

Authorizing suggestion awards to the following employees:  
Victor Shuman - Police Department - \$100.  
Darlene Spencer - Police Department - \$100.  
David Doughty - Police Department - \$25.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A041-044)

MOTION BY CLEATOR TO ADOPT. Second by McCarty. Passed by the  
following vote: Wolfsheimer-yea, Cleator-yea, McColl-not  
present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,  
Ballesteros-yea, Mayor O'Connor-yea.

ITEM-33: APPROVED

Approval of Council Minutes for the Meetings of:  
01/27/87 Special  
02/05/87 Special  
02/09/87  
02/10/87

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A045-056.)

MOTION BY GOTCH TO APPROVE. Second by McCarty. Passed by the  
following vote: Wolfsheimer-yea, Cleator-yea, McColl-not  
present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,  
Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-50: (O-87-159) ADOPTED AS ORDINANCE O-16832 (New  
Series)

Amending Ordinance O-16649 (New Series), as amended,  
entitled "An Ordinance Establishing a Schedule of  
Compensation for Officers and Employees of the City of San  
Diego for the Fiscal Year 1986-1987" to create the new

position of ARJIS Administrator; amending Exhibit B to said Ordinance to include said position in the Police category; establishing a rate of pay therefor at rate number 25.3; incorporating said position in Group F of the overtime eligibility Resolution R-265708 as ineligible for overtime. (Introduced on 3/9/87. Council voted 8-0. District 8 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A320-356.)

CONSENT MOTION BY STRUIKSMA TO DISPENSE WITH THE READING AND ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-51: (O-87-160) ADOPTED AS ORDINANCE O-16833 (New Series)

Amending Chapter VI, Article 3, of the San Diego Municipal Code, by amending Section 63.25.73, relating to Overnight Storage of Vessels, Boats and Trailers, to prohibit storing or leaving boats, vessels or trailers overnight on the shoreline of Mission Bay Park between Santa Clara Point and Ingraham Street Bridge, except on weekends and holidays. (Introduced on 3/9/87. Council voted 8-0. District 8 not present. Mission Bay Community Area. District-6.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A320-356.)

CONSENT MOTION BY STRUIKSMA TO DISPENSE WITH THE READING AND ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-52: (O-87-84b Rev.1) ADOPTED AS ORDINANCE O-16834 (New Series)

19870324

Amending Chapter X, Article 1, Division 4, of the San Diego Municipal Code, relating to the Institutional Overlay Zone. (Introduced on 3/10/87. Council voted 7-1. District 1 voted nay. District 8 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A320-356.)

CONSENT MOTION BY STRUIKSMA TO DISPENSE WITH THE READING AND

ADOPT. Second by Gotch. Passed by the following vote:  
Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea,  
Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor  
O'Connor-yea.

\* ITEM-100:

Two actions relative to awarding contracts:

Subitem-A: (R-87-1725) ADOPTED AS RESOLUTION R-267894  
Castle Metals for the purchase of 480 aluminum sheets  
for a total cost of \$35,990.20, including tax and  
contingency. (BID-7530)  
Aud. Cert. 8700720.

Subitem-B: (R-86-1726) ADOPTED AS RESOLUTION R-267895  
Van Waters and Rogers for furnishing ammonium sulfate,  
as may be required for a period of one year beginning  
March 1, 1987 through February 29, 1988, for an  
estimated cost of \$67,000, with the possibility of an 8  
percent price increase during the contract year, with an  
option to renew the contract for an additional one-year  
period with a price escalation not to exceed 10 percent  
of prices in effect at the end of the first contract  
year. (BID-7692B)

FILE LOCATION: MEET CONFY87-2

COUNCIL ACTION: (Tape location: A357-385.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Cleator-yea,  
McColl-not present, Jones-yea, Struiksmay-yea, Gotch-yea,  
McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-101: (R-87-1727) ADOPTED AS RESOLUTION R-267896

Inviting bids for the construction of traffic signal and  
street lighting systems at Convoy Court and Convoy Street  
on Work Order No. 118764; authorizing the execution of a  
contract with the lowest responsible and reliable bidder;  
authorizing the City Manager to execute a Cooperative  
Agreement with the State of California, equally sharing  
project construction costs and construction engineering  
costs, at an amount not to exceed \$44,000; authorizing the  
expenditure of funds not to exceed \$87,300 (\$46,300 from  
Cooperative Signal Projects Fund 30244, CIP-68-001, Annual  
Allocation - Utilities Communications and \$41,000 from the

State Grant Fund 39002) for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-7949FA) (Serra Mesa Community Area. District-5.)

CITY MANAGER REPORT: Construction of State Highway 52 which extends the existing highway easterly to Convoy Street is underway. This highway improvement is expected to increase the volume of traffic on Convoy Street between Highway 52 and Clairemont Mesa Boulevard sufficiently to require additional traffic controls at the intersection of Convoy Street and Convoy Court. The State of California has agreed to participate with the City in the construction costs of a traffic signal at the subject intersection. This Council action authorizes the City Manager to execute a cooperative agreement with the State of California to share in the construction costs and authorizes the construction of the project.

Aud. Cert. 8700690.

FILE LOCATION: W.O. 118764 CONFY87-1

COUNCIL ACTION: (Tape location: A357-385.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Wolfsheimer.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-102:

Three actions relative to the final subdivision map of N.C.W. Neighborhood 7, Unit 11A, a 58-lot subdivision located northeasterly of El Camino Real and Del Mar Heights Road:  
(North City West Community Area. District-1.)

Subitem-A: (R-87-1757) ADOPTED AS RESOLUTION R-267897  
Authorizing the execution of a Subdivision Improvement Agreement with Pardee Construction Company for the installation and completion of public improvements.

Subitem-B: (R-87-1756) ADOPTED AS RESOLUTION R-267898  
Approving the final map.

Subitem-C: (R-87-1758) ADOPTED AS RESOLUTION R-267899  
Renaming a portion of travelled way, commonly known as Black Mountain Road, to Dunham Way.

FILE LOCATION:

Subitems A and B SUBD N.C.W. Neighborhood 7,  
Unit 11A;

Subitem C DEED F-3801

CONTFY87-1;DEEDFY87-1

COUNCIL ACTION: (Tape location: A357-385.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Wolfsheimer.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea,

McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea,

McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-103:

Three actions relative to the termination of subdivision

agreements for Nobel Terrace Units 2, 3 and 6:

(University City Community Area. District-1.)

Subitem-A: (R-87-1797) ADOPTED AS RESOLUTION R-267900

Terminating the Subdivision Improvement Agreement entered

into on August 16, 1982, on file in the Office of the City

Clerk as Document No. RR-256990; releasing Performance Bond

No. 5222288, issued by American Insurance Company,

guaranteeing the improvements in the subdivision known as

Nobel Terrace Unit No. 2.

Subitem-B: (R-87-1798) ADOPTED AS RESOLUTION R-267901

Terminating the Subdivision Improvement Agreement entered

into on August 16, 1982, on file in the Office of the City

Clerk as Document No. RR-256993; releasing Performance Bond

No. 5222288-1, issued by American Insurance Company,

guaranteeing the improvements in the subdivision known as

Nobel Terrace Unit No. 3.

Subitem-C: (R-87-1799) ADOPTED AS RESOLUTION R-267902

Terminating the Subdivision Improvement Agreement entered

into on August 16, 1982, on file in the Office of the City

Clerk as Document No. RR-256999; releasing Performance Bond

No. 5222288-4, issued by American Insurance Company,

guaranteeing the improvements in the subdivision known as

Nobel Terrace Unit No. 6.

CITY MANAGER REPORT: On August 16, 1982, the City entered into agreements with Harry L. Summers for the construction of public improvements for Nobel Terrace Units 2, 3, 4 and 6. On June 11, 1985, Parcel Map-14012 was filed, resubdividing this property and superceding the final maps for these units. As a

result of this parcel map, the improvement plans for Unit 4 were revised to reflect all public improvements required by resolution approving the tentative map of Units 2, 3 and 6. The improvement plans for Units 2, 3, and 6 are no longer required and will be voided before Unit 4 is finalized. Therefore, it is recommended that the improvement agreements for Units 2, 3 and 6 (RR-256990, RR-256993, and RR-256999, respectively) be terminated and the sureties be released.

FILE LOCATION: SUBD Nobel Terrace Units 2, 3, and 6

COUNCIL ACTION: (Tape location: A357-385.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Wolfsheimer.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-104: (R-87-1760) ADOPTED AS RESOLUTION R-267903

Granting an extension of time to January 1, 1988 to Avco Community Developers, Inc., subdivider, to complete the improvements required in Ridgeway La Jolla.

(La Jolla Community Area. District-1.)

CITY MANAGER REPORT: On April 22, 1980, the City entered into an agreement with Avco Community Developers, Inc. for the construction of public improvements for Ridgeway La Jolla.

Several time extensions have been granted. The latest was approved by the Council on September 15, 1986, which extended the time until January 1, 1987. The completion of the subdivision has been delayed because of a slope stability problem which needs to be corrected before the subdivision can be accepted. The subdivider originally proposed to stabilize the slope by constructing a "lime treated buttress," however, he has given up that concept and is going to reinforce the buttress with "Tensor Geogrids" which is a plastic fiber mesh placed between thin layers of earth fill. The "Tensor Geogrids" will reinforce the fill similar to the way steel is used in reinforced concrete. This proposal has been reviewed and approved by the City's geotechnical consultant. The subdivider obviously has not completed the work within the time granted on the last time extension and has requested another extension of time. The subdivider is expected to award a contract to construct the Tensor reinforced buttress fill within a few weeks and work will start early this spring. It is recommended that the time extension to January 1, 1988 be approved.

FILE LOCATION: SUBD Ridgeway La Jolla

COUNCIL ACTION: (Tape location: A357-385.)



CONSENT MOTION BY GOTCH TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Cleator-yea,  
McColl-not present, Jones-yea, Struiksmayea, Gotch-yea,  
McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-105: (R-87-1795) ADOPTED AS RESOLUTION R-267904

Resolution of Intention to acquire 0.17 acres in Banker's  
Hill Canyon for the San Diego Open Space Park Facilities  
District No. 1.

(Uptown Community Area. District-8.)

CITY MANAGER REPORT: Banker's Hill Canyon, located in  
Uptown, extends from Spruce to Redwood along the prior alignment  
of Albatross Street, which has been vacated. It is adjacent to  
the City's only pedestrian suspension bridge, which extends from  
Front to Brant Streets at Spruce. This parcel, at Redwood and  
Albatross, is the only vacant parcel within the canyon remaining  
in private ownership. On December 15, 1986, Council approved an  
acquisition plan for this parcel, along with funds to have it  
appraised for purposes of acquisition for open space. This  
request is for \$125,000 to purchase this parcel at fair market  
value plus funds to cover title, escrow, and other miscellaneous  
costs.

FILE LOCATION: STRT OS-13

COUNCIL ACTION: (Tape location: A357-385.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Cleator-yea,  
McColl-not present, Jones-yea, Struiksmayea, Gotch-yea,  
McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-106:

Two actions relative to the San Ysidro Boulevard (Smythe  
Avenue to Via de San Ysidro) Underground Utility District:  
(San Ysidro Community Area. District-8.)

Subitem-A: (R-87-1765) ADOPTED AS RESOLUTION R-267905

Designating May 15, 1987 as the date upon which all  
property in the San Ysidro Boulevard (Smythe Avenue to Via  
de San Ysidro) Underground Utility District must be ready  
to receive underground service and September 15, 1987 as  
the date for the removal of all overhead utility  
facilities.

Subitem-B: (R-87-1766) ADOPTED AS RESOLUTION R-267906

Authorizing the City Auditor and Comptroller to open Fund No. 78018 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the San Ysidro Boulevard (Smythe Avenue to Via de San Ysidro) Underground Utility District; authorizing the City Treasurer to receive these funds from the San Diego Gas and Electric Company; authorizing payment to all qualified property owners in the San Ysidro Boulevard (Smythe Avenue to Via de San Ysidro) Underground Utility District as reimbursement for electrical service underground conversion work done on private property; authorizing the City Auditor and Comptroller to return to San Diego Gas and Electric Company any undisbursed funds upon written notice to the City that all electric service conversions within a particular district have been completed.

CITY MANAGER REPORT: The San Ysidro Boulevard (Smythe Avenue to Via de San Ysidro) Underground Utility District was created by the City Council on July 16, 1985. The Resolution creating the District left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set May 15, 1987 as the Customer Ready Date, which will require that, upon this date, all affected customers within the Underground Utility District must have their services prepared to receive service from the new underground system. This action will also establish September 15, 1987 as the Pole Removal Date, which will require that, upon this date, all overhead facilities within the Underground Utility District must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 Funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench. The property owner remains responsible for all remaining conversion costs.

FILE LOCATION: STRT K-145

COUNCIL ACTION: (Tape location: A357-385.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-107: (R-87-1749) ADOPTED AS RESOLUTION R-267907

Approving the acceptance by the City Manager of the deed of San Diego Gas and Electric Company, conveying to the City a drainage easement in a portion of Lots 15 and 16 of Murphy Canyon Gateway Unit 1, Map-11502; quitclaim deed, quitclaiming to San Diego Gas and Electric Company all the City's right, title and interest in the drainage easement in Lots 15 and 16 of Murphy Canyon Gateway Unit 1, Map-11502.

(Serra Mesa Community Area. District-5.)

FILE LOCATION: DEED F-3802 DEEDFY87-2

COUNCIL ACTION: (Tape location: A357-385.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-108: (R-87-1781) ADOPTED AS RESOLUTION R-267908

Excusing Council Member Bill Cleator from attending the Special Housing Authority meeting of February 27, 1987, for the purpose of vacation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A357-385.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-109: (R-87-1815) ADOPTED AS RESOLUTION R-267909

Excusing Council Member Ed Struiksma from attending Council meetings and Housing Authority and Redevelopment meetings of March 16 and 17, 1987, for the purpose of vacation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A357-385.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-110: (R-87-1804) ADOPTED AS RESOLUTION R-267910

Approving City Manager's Report CMR-87-94, dated February 20, 1987 and entitled, "Manager's Response to City Lakes Recreational Development Plan - 1986."

(See City Manager Report CMR-87-94.

COMMITTEE ACTION: Reviewed by PFR on 2/25/87. Recommendation to approve the City Lakes Recreational Plan 1986 as recommended by the City Manager. Districts 2, 3, 5, 7 and 8 voted yea.

CITY MANAGER REPORT: At the direction of the Public Facilities and Recreation Committee, the City Lakes Committee of the Park and Recreation Board has prepared a conceptual development plan for the expansion of recreational facilities and activities on municipal reservoirs. The plan has been reviewed by staff and an Implementation and Action Plan has been prepared by the City Manager. On February 19, 1987, the plan was reviewed by the Park and Recreation Board which recommended approval by the PF&R Committee.

WU-U-87-123.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A386-640.)

MOTION BY STRUIKSMA TO ADOPT AND DIRECT CITY MANAGER STAFF TO CONTINUE TO WORK WITH THE LIFEGUARD ASSOCIATION ON WHAT COURSE OF ACTION WOULD BE APPROPRIATE FOR COUNCIL TO TAKE, AND DIRECT THE PUBLIC SERVICES AND SAFETY COMMITTEE TO REVIEW A SAFETY PROGRAM INCLUDING THE TYPE OF ACTIVITIES THAT SHOULD BE ALLOWED, TYPES AND COSTS OF STAFFING, AND THE COSTS FOR THE CLEANING UP OF POLLUTION AND GENERAL DEBRIS. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-111: (R-87-1793) ADOPTED AS RESOLUTION R-267911

A Resolution approved by the City Council in Closed Session on Tuesday, February 17, 1987 by the following vote:

Wolfsheimer-yea; Cleator-not present; McColl-not present; Jones-not present; Struiksma-yea; Gotch-yea; McCarty-yea; Ballesteros-yea; Mayor O'Connor-yea.

Authorizing the City Manager to pay the total sum of \$14,500 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injuries to Jenifer Henderson (Superior Court Case No. 525773, Jenifer Henderson v. Jerome Rice, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$14,500 made payable to Jenifer Henderson and her attorney, James Parziale, in full settlement of the lawsuit and all claims; declaring that said funds are to be payable from Fund No. 81140, Public Liability Reserve Fund.

CITY MANAGER REPORT: This constitutes the complete and final settlement of Jenifer Henderson's personal injuries as a result of the accident of August 12, 1983.

Aud. Cert. 8700714.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A357-385.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Wolfsheimer.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-112: (R-87-1828) ADOPTED AS RESOLUTION R-267912

A Resolution approved by the City Council in Closed Session on Tuesday, March 3, 1987 by the following vote:

Wolfsheimer-nay; Cleator-yea; McColl-not present; Jones-not present; Struiksma-yea; Gotch-yea; McCarty-yea; Ballesteros-not present; Mayor O'Connor-yea.

Authorizing the City Manager to pay the total sum of \$20,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injuries sustained by Edwin Hively and the claim filed by Stephen Multer against the City of San Diego for indemnity (Superior Court Case No. 492028, Edwin Hively v. Stephen Multer and Stephen Multer v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the amount of \$20,000 made payable to Stephen Multer and his attorney, John Distel, in full settlement of the lawsuit and all claims.

CITY MANAGER REPORT: This constitutes the full and final settlement of all claims against the City of San Diego as a result of the incident of August 5, 1982.

Aud. Cert. 8700716.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A357-385.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Wolfsheimer.

Passed by the following vote: Wolfsheimer-nay, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-113: (R-87-1772) ADOPTED AS RESOLUTION R-267913

Authorizing the execution of an agreement with Kawasaki, Theilacker and Associates for professional services required for the Trolley Barn Neighborhood Park Development

Project; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$15,500 from PSD Fund 11593 to CIP-29-612.0; authorizing the expenditure of an amount not to exceed \$33,164 from CIP-29-612.0, Trolley Barn Neighborhood Park - Improvements, Capital Outlay and Park Service District Funds, for the purpose of providing funds for the above project; authorizing the City Auditor and Comptroller to transfer unexpended funds to the appropriate reserves upon the advice of the administering department.

(Uptown Community Area. District-2.)

CITY MANAGER REPORT: The proposed agreement with Kawasaki, Theilacker and Associates will provide the professional services required for the design of the Old Trolley Barn Neighborhood Park. The 3.5 acre park site is located at the old trolley barn site, 1925 Adams Avenue, in the Uptown Community Planning Area. Proposed improvements include a children's play area, picnic facilities, concrete walkways, turfing (open play area), landscaping and irrigation and other amenities desired by the community. The consultant was selected according to Council Policy 300-7. The project was advertised in the San Diego Daily Transcript on May 6, 1986. Twelve responses were received by the Design Nominating Committee. Three of the firms were recommended to and interviewed by the Park and Recreation Department. Kawasaki, Theilacker and Associates is the recommended consultant for this project.

Aud. Cert. 8700700.

FILE LOCATION: MEET CCONFY87-1

COUNCIL ACTION: (Tape location: A357-385.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Wolfsheimer.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-114:

Two actions relative to the Job Training Partnership Act Economic Development Project:  
(Southeast San Diego, Barrio Logan, and Centre City Community Areas. Districts-4 and 8.)

Subitem-A: (R-87-1777) ADOPTED AS RESOLUTION R-267914

Authorizing the execution of an agreement with San Diego Incubator Corporation for the latter to form a small business incubator in the Enterprise Zone; authorizing the

expenditure of an amount not to exceed \$15,600 from Job Training Partnership Act, Fund 18201, for the purpose of providing funds for the above project.

Subitem-B: (R-87-1770) ADOPTED AS RESOLUTION R-267915

Authorizing the execution of an agreement with the Regional Employment and Training Consortium (RETC) for the latter to provide a job development specialist to work on the Enterprise Zone Project from March 1 through December 31, 1987; authorizing the expenditure of an amount not to exceed \$34,400 from Job Training Partnership Act, Fund 18201, for the purpose of providing funds for the above project and related activities.

CITY MANAGER REPORT: On October 6, 1986, the City Council adopted Resolution R-266745 authorizing the City Manager to apply to the California Job Training Partnership Office for a \$50,000 grant from the Governor's 5 percent Economic Development Project Funds. On December 24, 1986, the City received the final notice that it has been recommended to receive the grant. A Resolution has been submitted to authorize the City Manager to execute the grant agreement. This Resolution would authorize the expenditure of \$50,000 from the JTPA 5 percent Economic Development Grant, Fund 18201; and authorize the City Manager to execute the contracts that are elements of the grant application and grant agreement. These are: 1.) A contract with the Regional Employment and Training Consortium for the latter to provide a jobs development specialist to solicit new jobs in the Enterprise Zone from March 1 through December 31, 1987, for a sum not to exceed \$24,000; and 2.) A contract with the San Diego Incubator Corporation for the latter to do business planning, finance planning, and site selection to start up a small business incubator in the Enterprise Zone, for a sum not to exceed \$15,600.

Aud. Cert. 8700679.

FILE LOCATION: MEET CONFY87-2

COUNCIL ACTION: (Tape location: A357-385.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-115: (R-87-1794) ADOPTED AS RESOLUTION R-267916

Approving Change Order No. 3, dated January 8, 1987, issued in connection with the contract with Olson Construction

Company for Water Main Replacement Group 455, amounting to a net decrease in the contract price of \$27,036.50.

(Mid-City Community Area. District-7.)

CITY MANAGER REPORT: Water Main Replacement Group 455 was awarded on June 19, 1986 to Olson Construction Company for a total cost of \$436,246. Change Order No. 1 included a net increase of \$6,299.55 for relocating a portion of a new main in conflict with an existing main. Change Order No. 2 included a new increase of \$8,681.67 for repair of existing streets and a connection modification not noted on the plans. Change Order No. 3 includes a \$271 decrease for adjustments in the actual length of pipe laid; a decrease of \$39,200 for 98 water services that did not need to be replaced; an increase of \$4,900 for 49 water services that were transferred to the new main; an increase of \$14,700 for 49 water services that were extended to the new main; a decrease of \$1,200 for adjustments in the actual number of water services abandoned; an increase of \$90 for adjustments in the bedding required; a decrease of \$138 for adjustments in the amount of imported backfill required, a decrease of \$5,917.50 for adjustments in the amount of temporary resurfacing required; all for a total net decrease of \$27,036.50.

WU-U-87-118.

FILE LOCATION: CONT Olson Construction Company  
CONTFY87-1

COUNCIL ACTION: (Tape location: A357-385.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Wolfsheimer.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-200:

Two actions relative to the rezoning extension of time for Calle Cristobal:

(See Planning Department Report PDR-87-034.

Case-86-0910/EOT1. Mira Mesa Community Area. District-5.)

Subitem-A: (O-87-154) INTRODUCED, TO BE ADOPTED APRIL 6,  
1987

Introduction of an Ordinance amending Section 1 of Ordinance O-16067 (New Series), adopted October 23, 1983, incorporating the east half of Lot 4, Section 27, Township 14 South, Range 2 West, S.B.B.M., located north and south of future Calle Cristobal, north of Mira Mesa Boulevard,



between Interstate 805 and Camino Ruiz, into R1-6000 Zone;  
extension of time to November 23, 1989.

**Subitem-B: (R-87-1532) ADOPTED AS RESOLUTION R-267917**

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-86-0514, an addendum to END-83-0216, issued in connection with the rezoning of the east half of Lot 4, Township 27 South, Range 3 West, S.B.B.M., located north and south of future Calle Cristobal, north of Mira Mesa Boulevard, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines thereto, and has been reviewed and considered by the Council.

**FILE LOCATION: ZONE ORD NO.**

**COUNCIL ACTION:** (Tape location: C200-261.)

**MOTION BY STRUIKSMA TO INTRODUCE SUBITEM A AND ADOPT SUBITEM B WITH DIRECTION TO THE PLANNING DEPARTMENT STAFF TO REVIEW THE POSSIBILITY OF A NEW ENVIRONMENTAL IMPACT REPORT AND REPORT BACK TO COUNCIL ON WHETHER ONE IS NEEDED OR NOT. Second by Gotch.**

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-yea.

**ITEM-201:**

(Continued from the meetings of February 23, 1987, Item 112; and March 9, 1987, Item 204; last continued at Council Member Ballesteros' request, to allow her to be present for Council discussion.)

Two actions relative to vacating Fairmount Avenue:  
(See City Manager Report 87-83. Mid-City Community Area. District-8.)

**Subitem-A: (R-87-1604) ADOPTED AS RESOLUTION R-267935**

Vacating Fairmount Avenue, adjacent to Lots 15 and 23 in Block 22 of Lexington Park, and the adjoining alley adjacent to Lots 11-15 and 23-24 in Block 22 of Lexington Park, under the procedure for the summary vacation of streets; reserving and excepting from the foregoing vacation the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public utilities of any kind or nature; reserving and excepting from vacation and abandonment, easements, and rights of any public utility pursuant to any existing

franchise or renewal thereof; declaring that the easement reserved herein is in, under, over, upon, along and across that portion of Fairmount Avenue and the adjoining alley; declaring that this resolution shall not become effective unless and until the following conditions have been met:  
a) Approval and recordation of a consolidation parcel map for the affected parcels; b) Issuance and bonding for required public improvements to include curb, gutter and sidewalk constructed across the easterly terminus of the vacation, satisfactory to the City Engineer. In the event the above items are not completed by 18 months after adoption, this resolution shall become void and be of no further force or effect; directing the City Engineer to advise the City Clerk of the completion of the aforementioned conditions.

Subitem-B: (R-87-1605) ADOPTED AS RESOLUTION R-267936

Certifying that the information contained in Environmental Negative Declaration END-86-0261, issued in connection with Mid-City Development Permit (MCD-86-0261), has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines thereto, and that said Declaration has been reviewed and considered by the Council.

FILE LOCATION:

Subitem A STRT J-2642; DEED F-3779;

Subitem

B PERM MCD 86-0261

COUNCIL ACTION: (Tape location: C262-269;D050-149.)

MOTION BY BALLESTEROS TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-202: (R-87-1827) CONTINUED TO APRIL 28, 1987 AT 2:00 P.M.

Directing the Subdivision Board and the Planning Commission when reviewing tentative subdivision maps within the Rancho Penasquitos Community Plan area, to provide that the effective date of approval of a tentative map shall be the date of approval by the City Council of the updated Penasquitos East Community Plan, which is presently in the

Planning Department work program.  
(See the letters from Pat Recame, Secretary of the Rancho  
De Los Penasquitos Planning Board dated 2/26/87 and  
2/23/87. Penasquitos East Community Area. District-1.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A094-319.)

MOTION BY CLEATOR TO CONTINUE TO APRIL 28, 1987 AT 2:00 P.M., AT  
THE REQUEST OF ALAN PERRY OF THE GENSTAR CORPORATION, TO HAVE  
THE PLANNING DEPARTMENT PROPERLY NOTIFY THE PROPERTY OWNERS.

Second by Jones. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea,  
Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor  
O'Connor-yea.

ITEM-203: (R-87-1823) ADOPTED AS RESOLUTION R-267918

Council confirmation of the appointment by the Mayor of  
Vincent W. Krolkowski, to serve as a member of the  
Citizens Advisory Board on Police Community/Relations  
representing the Police Officers Association, to replace Ty  
Reid, who has resigned.

(See memorandum from Mayor O'Connor dated 3/11/87 with  
resumes attached.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C270-281.)

MOTION BY McCARTY TO ADOPT. Second by Gotch. Passed by the  
following vote: Wolfsheimer-yea, Cleator-yea, McColl-not  
present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,  
Ballesteros-not present, Mayor O'Connor-yea.

ITEM-204: (R-87-1820) ADOPTED AS RESOLUTION R-267919

Council confirmation of the following appointments by the  
Mayor to the Public Arts Advisory Board, for terms to  
expire July 1, 1988:

(See memorandum from Mayor O'Connor dated 3/10/87 with  
resumes attached.)

Name	Category
Rob W. Quigley (Reappointment)	Architect
Helen M. Harrison (Reappointment)	Artist
Alma Ronis	Member-at-Large
(To replace John W. Howard, whose term has expired)	
Judith Parzen	Education
(To replace Lynn C. Peterson,	

whose term has expired)  
David M. Tamayo                      Artist  
(To replace Barbara Welden,  
whose term has expired)

Francoise Gilot Salk                      Artist  
(To replace Kotaro Nakamura,  
whose term has expired)

FILE LOCATION:    MEET

COUNCIL ACTION:    (Tape location: C270-281.)

MOTION BY McCARTY TO ADOPT. Second by Gotch. Passed by the  
following vote: Wolfsheimer-yea, Cleator-yea, McColl-not  
present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,  
Ballesteros-not present, Mayor O'Connor-yea.

ITEM-205: (R-87-1681)    ADOPTED AS RESOLUTION R-267920

Council confirmation of the following appointments and  
reappointments by the Mayor to the Small Business Advisory  
Board, for terms to expire as follows:  
(See memorandum from Mayor O'Connor dated 2/18/87 with  
resumes attached.)

Name	Term Expires
Susannah E. Ensign (To replace Richard W. Long, Member-at-Large, whose term has expired)	July 1, 1988
Nghiep C. Le (To replace Sheila H. Washington, whose term has expired)	July 1, 1988
Brian Pollard (To replace Eileen Haag, Member-at-Large, whose term has expired)	July 1, 1988
Maxine Coney (To replace Leroy M. Lopez, Member-at-Large, whose term has expired)	July 1, 1988
Helen Rowe (To replace William S. Vollmer, San Diego Chamber of Commerce category, who has resigned)	July 1, 1987
Elida Chavez Reappointment,	July 1, 1988

Member-at-Large

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C282-314.)

MOTION BY JONES TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-yea.

ITEM-330:

870324

(Continued from the meeting of March 3, 1987, Item 336 (F), at Council Member Ballesteros' request, to allow all parties involved time to digest the proceedings of 3/3/87 and the letter submitted by Paul Robinson on behalf of R. B. McComic.)

Matters of:

Appeal of the Rancho Bernardo Community Planning Board, by Gary A. Kreitzer, from the decision of the Planning Commission in approving five tentative maps (Westwood Valley Units 1-9), and the request of R.B. McComic, Inc. for an exemption from the condition approved by the Planning Commission relating to the effective date of the maps.

The maps propose a subdivision of approximately 611 lots for single-family and multiple-family residential development (approximately 1003 units). The subject property (approximately 287.5 acres), is located north of Rancho Bernardo Road, west of Matinal Road, Azucar Way and Aquamiel Road in the Rancho Bernardo Community Plan area, and is more particularly described as Parcel 1, Parcel Map PM-13464 and a portion of Rancho San Bernardo Patent Book 2, Page 462. (TM-85-0399, TM-85-0430, TM-85-0431, TM-85-0680 and TM-85-0909.)

(District-1.)

Today's actions are:

Subitem-A: (R-87-1808) ADOPTED AS RESOLUTION R-267921  
GRANTING THE APPEAL, EXEMPTION AND  
MAP

Adoption of a Resolution approving or denying the appeal and the exemption and TM-85-0399 with appropriate findings to support Council action.

Subitem-B: (R-87-1809) ADOPTED AS RESOLUTION R-267922  
GRANTING THE APPEAL, EXEMPTION AND

MAP

Adoption of a Resolution approving or denying the appeal and the exemption and TM-85-0430 with appropriate findings to support Council action.

Subitem-C: (R-87-1810) ADOPTED AS RESOLUTION R-267923  
GRANTING THE APPEAL, EXEMPTION AND  
MAP

Adoption of a Resolution approving or denying the appeal and the exemption and TM-85-0431 with appropriate findings to support Council action.

Subitem-D: (R-87-1811) ADOPTED AS RESOLUTION R-267924  
GRANTING THE APPEAL, EXEMPTION AND  
MAP

Adoption of a Resolution approving or denying the appeal and the exemption and TM-85-0680 with appropriate findings to support Council action.

Subitem-E: (R-87-1812) ADOPTED AS RESOLUTION R-267925  
GRANTING THE APPEAL, EXEMPTION AND  
MAP

Adoption of a Resolution approving or denying the appeal and the exemption and TM-85-0909 with appropriate findings to support Council action.

NOTE: On 3/3/87, Council made the following motions:

Motion by Council Member Wolfsheimer to continue the item for two weeks. No second.

Motion by Council Member Wolfsheimer (second by Council Member Jones for purposes of discussion) to approve the project subject to the following modifications:

- (1) That the community plan not be amended to delete Escala Drive. Failed 7-2 with the following vote: Yea - District 1. Nays - Districts 2,3,4,5,6,7,8 and Mayor.
- (2) Adopt Alternate 2.A of the EIR which would eliminate 20 units and remove 40 percent of the dirt on Knoll Unit No. 3 thereby reducing the grading and visual impacts. Passed 9-0 with all voting yea.
- (3) Deny the rezone and refer it back to the Planning Department. Come back at a later date with a reduction of the potential number of units. At that time, the density of the project will be analyzed in conjunction with the density for the area. Failed 7-2 with the following vote: Yeas-District 1, Mayor. Nays - Districts 2,3,4,5,6,7,8.

Motion by Council Member Wolfsheimer to reduce the number of

potential units and to develop the site subject to a PRD. No second.

(4) Create swales and pondments to trap the silt and pollutants and to regulate the flow rates of the stream into Lake Hodges. Failed 8-1 with the following vote: Yeas - Districts 2,3,4,5,6,7,8, and Mayor. Nays-District 1.

(5) Refer to TLU Committee the trail and mini-park system so that it can be analyzed in conjunction with the San Dieguito Regional Park access routes. Passed 9-0 with all voting yea.

Motion by Council Member Jones (second by Council Member Wolfsheimer) to request that the developer agree to participate in a FBA with respect to a roadway, be it Escala Drive or some other roadway. Passed 9-0 with all voting yea.

Motion by Council Member Struiksma (second by Council Member Wolfsheimer) to adopt

Subitem A, Alternate 2.A. Passed 9-0 with all voting yea.

Motion by Council Member McColl (second by Council Member Struiksma) to Introduce

Subitem B. Passed 7-2 with the following vote: Yeas - Districts 2,3,4,5,6,7,8. Nays - District 1 and Mayor.

Motion by Council Member McColl (second by Council Member Struiksma) to Introduce

Subitem C. Passed 7-2 with the following vote: Yeas - Districts 2,3,4,5,6,7,8. Nays - District 1 and Mayor.

Motion by Council Member Jones (second by Council Member McColl) to adopt

Subitem D denying the appeal and granting the HRP, eliminating 20 units at the top of Knoll No. 3. Passed 7-2 with the following vote: Yeas - Districts 2,3,4,5,6,7,8. Nays - District 1 and Mayor.

Motion by Council Member Wolfsheimer (second by Council Member McColl) to adopt

Subitem E denying the appeal and granting the CUP. Passed 9-0 with all voting yea.

Motion by Council Member Ballesteros (second by Council Member McColl) to adopt

Subitem F denying the appeal and granting the maps subject to Council's action on 3/3/87. Passed 9-0 all voting yea.  
Motion by Wolfsheimer (second by Council Member Jones) to adopt

Subitem G amending the Community Plan. Passed 9-0 with all voting yea.

Motion by Council Member McCarty (second by Council Member McColl) to delete the condition on the map and that the effective date of the application be the date of the rezone. No vote taken.

Motion by Council Member Wolfsheimer (second by Council Member Ballesteros) to continue the matter until there is full notice and an opportunity to be heard on the part of the Rancho Bernardo community as to whether an exemption, with respect to Condition No.1 on the map, should be granted to the developer. Failed 6-3 by the following vote: Yeas - Districts 4, 8 and Mayor. Nays - Districts 1,2,3,5,6,7.

Motion by Council Member Jones (second by Council Member McCarty) to reconsider

Subitem F. Passed 7-1 with the following vote: Yeas- Districts 2,3,4,5,7,8 and Mayor. Nays - District 1. Not present - District 6.

Motion by Council Member Ballesteros (second by Council Member Jones) to Continue

Subitem F for three weeks to March 24, 1987

10:00 a.m. Time Certain. Staff is to renote this appeal and the appeal presented by Paul Robinson on behalf of Mr. McComic which is an appeal to Condition No. 1 on the map. Passed 8-0 by the following vote: Yeas - Districts 1,2,3,4,5,7,8 and Mayor. Not present - District 6.

FILE LOCATION: SUBD Westwood Valley Units 1-9

COUNCIL ACTION: (Tape location: B001-C064.)

Hearing began at 10:58 a.m. and halted at 11:47 a.m.

Testimony in favor of the appeal by the Rancho Bernardo Community Planning Board but in opposition of the exemption given by Charles Jacobs, Gary Kreitzer, and James T. Carter.

Testimony in opposition of the appeal by the Rancho Bernardo Community Planning Board but in favor of the exemption given by Barry McComic.

Motion by Wolfsheimer to uphold the City Council's, the Transportation and Land Use Committee's, and the Planning Commission's previous decisions to grant the appeal (to retain



Condition No. 1) allowing the Planning Department and Planning Commission to continue with the updating of the Community Plan. Second by McCarty. Failed by the following vote: Yea-1.

Nays-2,4,5,6,7,8,M.

MOTION BY CLEATOR TO GRANT THE APPEAL OF THE DEVELOPER, THE EXEMPTION AND THE MAPS. Second by Jones. Passed by the following vote: Wolfsheimer-nay, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-331:

Rezoning a portion of Lots 3 and 4, Section 2, Township 15 South, Range 3 West, SBBM and Parcel 3, Parcel Map PM-13071 (a 48.7-acre site), located on the south side of Flanders Drive between Camino Santa Fe and Penrod Lane, in the Mira Mesa Community Plan area, from Zone A1-10 (HR) to Zone R1-5000. Removal of the Hillside Review (HR) Overlay Zone is requested.  
(Case-86-0803. District-5.)

Subitem-A: (R-87-1519) ADOPTED AS RESOLUTION R-267926

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-86-0803 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-87-152) INTRODUCED, TO BE ADOPTED APRIL 6, 1987

Introduction of an Ordinance for R1-5000 Zoning.

FILE LOCATION: ZONE ORD NO.

COUNCIL ACTION: (Tape location: C065-166.)

Hearing began at 11:47 a.m. and halted at 11:55 a.m.

MOTION BY STRUIKSMA TO ADOPT SUBITEM A AND INTRODUCE SUBITEM B.

Second by Jones. Passed by the following vote: Wolfsheimer-yea on

Subitem B, (Nay on

Subitem A), Cleator-yea, McColl-not

present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-332:

Five actions relative to the Improvement of Alley Block 68, Arnold and Choate's Addition, under the provisions of the San Diego Municipal Code and the Improvement Act of 1911: (Uptown Community Area. District-2.)

Subitem-A: (R-87-214) ADOPTED AS RESOLUTION R-267937  
Adopting a Resolution of Feasibility for the proposed improvements.

Subitem-B: (R-87-212) ADOPTED AS RESOLUTION R-267938  
Ordering the work.

Subitem-C: (R-87-210) ADOPTED AS RESOLUTION R-267939  
Adopting plans and specifications.

Subitem-D: (R-87-213) ADOPTED AS RESOLUTION R-267940  
Inviting sealed proposals for bids.

Subitem-E: (R-87-211) ADOPTED AS RESOLUTION R-267941  
Approving the City Engineer's Report submitted in connection with the improvement.

CITY MANAGER REPORT: The project was initiated by 84 percent of the property owners involved. The petition was accepted by Council on July 8, 1985, per Resolution R-263626. The alley to be improved is located between Washington Street and University Avenue, and between Eagle Street and Falcon Street. The improvements consist of a 6-inch sewer main, pedestrian ramps, and the grading and paving of a 15-foot wide alley. The new 6-inch sewer main will replace an existing deteriorated sewer main. There will be a City contribution for the replacement of this 6-inch sewer main.

FILE LOCATION: STRT D-2253

COUNCIL ACTION: (Tape location: C167-170;E244-260.)

Hearing began at 3:05 p.m. and halted at 3:06 p.m.

MOTION BY CLEATOR TO CLOSE THE HEARING AND ADOPT. Second by Jones. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-333:

Two actions relative to establishing the Morena Boulevard (Friars Road to West Morena Boulevard) Underground Utility District:

(Clairemont Mesa Community Area. District-6.)

Subitem-A: (R-87-1475) ADOPTED AS RESOLUTION R-267927

Establishing the Morena Boulevard (Friars Road to West Morena Boulevard) Underground Utility District.

Subitem-B: (R-87-1476) ADOPTED AS RESOLUTION R-267928

Authorizing the expenditure of an amount not to exceed \$8,000 from CIP-37-028, Federal Revenue Sharing Fund 18016, for the purpose of administering the Morena Boulevard (Friars Road to West Morena Boulevard) Underground Utility District, minor City Force work and other related work.

CITY MANAGER REPORT: The proposed district will underground the overhead utility facilities on Morena Boulevard between Friars Road and West Morena Boulevard. This is a scheduled project in the Calendar Year 1988 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. The total number of affected properties in this district is 76, of which 12 are single-family residential properties, and 64 are commercial or multi-family properties. A typical cost range for a licensed contractor to perform this conversion work on residential private property is \$600 to \$1,100. Conversion costs on commercial properties may vary from \$600 to several thousand dollars or more due to differences in service size and location. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Fund (Case 8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

Aud. Cert. 8700599.

FILE LOCATION: STRT K-172

COUNCIL ACTION: (Tape location: C170-199.)

Hearing began at 11:56 and halted at 11:58 a.m.

Ballesteros left at 11:56 a.m.

MOTION BY GOTCH TO ADOPT WITH DIRECTION TO CITY MANAGER STAFF TO REVIEW THE POSSIBILITY OF REMOVING THE MAIN, HIGH-TENSION OVERHEAD LINES RUNNING DOWN MORENA BOULEVARD AND THE COSTS INVOLVED FOR REMOVAL; AND OUTLINE OPTIONS THAT MIGHT BE AVAILABLE. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea,

Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present,  
Mayor O'Connor-yea.

ITEM-334:

Rezoning a portion of the northeast quarter of Section 21,  
Township 14 South, Range 2 West, SBBM, (13.11 acres of a  
21.9-acre site), located on the north side of Poway Road  
between Sabre Springs Parkway and Poway City Limits, in the  
Sabre Springs Community Plan area, from Zone A1-10 to Zone  
R-3000.  
(Case-86-0542. District-1.)

Subitem-A: (R-87-1601) ADOPTED AS RESOLUTION R-267942

Adoption of a Resolution certifying that the information  
contained in Environmental Mitigated Negative Declaration  
EMND-86-0542 has been completed in compliance with the  
California Environmental Quality Act of 1970 and State  
guidelines, and that said declaration has been reviewed and  
considered by the Council.

Subitem-B: (O-87-158) INTRODUCED, TO BE ADOPTED APRIL 6,  
1987

Introduction of an Ordinance for R-3000 Zoning.

FILE LOCATION:

Subitem A ZONE ORD. NO.;

Subitem B--

COUNCIL ACTION: (Tape location: G625-655.)

Hearing began at 4:49 p.m. and halted at 4:52 p.m.

MOTION BY WOLFSHEIMER TO CLOSE THE HEARING, ADOPT SUBITEM A AND  
INTRODUCE SUBITEM B. Second by Jones. Passed by the following  
vote: Wolfsheimer-yea, Cleator-yea, McColl-not present,  
Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,  
Ballesteros-not present, Mayor O'Connor-yea.

ITEM-335:

Appeal of Tierrasanta Community Council, by Michael R.  
Mele, President, from the decision of the Planning  
Commission in granting, with modifications, Conditional Use  
Permit CUP-86-0525, proposing a Mobil service station and  
Mini-Mart on a .559-acre site (24,350 square feet), located  
at the northwest quadrant of the intersection of Clairemont  
Mesa Boulevard and Santo Road. The subject property is

further described as Parcel 2 of Parcel Map PM-4522, in Zone CA, in the Tierrasanta Community Plan area. (CUP-86-0525. District-7.)

19870324

Subitem-A: (R-87-2025) ADOPTED AS RESOLUTION R-267943

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-86-0525 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-87-2026) ADOPTED AS RESOLUTION R-267944,  
DENIED APPEAL, GRANTED PERMIT AS  
AMENDED

Adoption of a Resolution granting the appeal and denying the permit or denying the appeal and granting the permit with appropriate findings to support Council action.

FILE LOCATION: PERM CUP-86-0525

COUNCIL ACTION: (Tape location: E555-G620.)

Hearing began at 3:25 p.m. and halted at 4:51 p.m.

Testimony in favor of the appeal by Michael Mele, Norma McNerney, Jim MaDaffer and William F. Baird.

Testimony in opposition to the appeal by Jerry Dawson, Jamie Farino, Herman Kimmel, Joseph Lucidi, Dale Bodman and Steven McDonald.

MOTION BY McCARTY TO CLOSE THE HEARING, DENY THE APPEAL AND GRANT THE PERMIT AS AMENDED WITH THE CONDITIONS THAT THERE BE PERIMETER AND INTERIOR LANDSCAPING, A MONUMENT SIGN, AND THAT THE APPLICANT FUNDS THE SIGNAL LIGHT AT THE INTERSECTION SO THAT IT WILL BE PUT IN PLACE AS SOON AS POSSIBLE. THE APPLICANT WILL NEGOTIATE WITH THE CITY ENGINEER AS TO FUTURE REMUNERATIONS FROM THE FORTHCOMING DEVELOPMENT, AND THE PERMIT IS GRANTED SUBJECT TO APPROVAL BY THE PLANNING DIRECTOR. Second by Gotch. Passed by the following vote: Wolfsheimer-nay, Cleator-not present, McColl-not present, Jones-yea, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-yea.

\* ITEM-S500: (R-87-1860) ADOPTED AS RESOLUTION R-267929

Approving Change Order No. 1 with Daley Corporation for resurfacing and restriping of the San Diego Stadium parking lot; authorizing the expenditure of an amount not to exceed

\$160,300 for the purpose of providing funds for the above project; authorizing the City Auditor and Comptroller to transfer unexpended funds, to the appropriate reserves upon the advice of the administering department.

(Mission Valley Community Area. District-5.)

CITY MANAGER REPORT: On December 15, 1986, by City Council Resolution R-267232, the City Council authorized the Purchasing Agent to advertise for bids for the San Diego Stadium parking lot resurfacing and restriping project; and authorized the expenditure of up to \$1,200,000 for this project. On February 19, 1987, per bid number 7733, the City entered into a contract with the Daley Corporation for this project. Daley Corporation's bid of \$911,700 was the low bid out of a total of six bids received. As of March 13, 1987, the project is approximately half completed. The contractor has advised us that the 34,000 tons authorized in the contract will not be sufficient to properly complete the project, and up to 7,000 more tons will be required. This change is the result of two factors. The first and primary reason is that the asphalt has been applied at a greater thickness than called for in the contract. This change was necessary in order to make the parking lot level due to the settlement that has occurred over the past twenty years. If this change was not made, water would settle in the low areas and result in future maintenance problems. Second, the actual square footage in the parking lot is slightly more than the estimate. In conclusion, approval of this change order will result in a higher quality paving project.

Aud. Cert. 8700459.

FILE LOCATION: CONT Daley Corporation CONTFY87-1

COUNCIL ACTION: (Tape location: A357-385.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Wolfsheimer.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S501: (R-87- ) CONTINUED TO MARCH 30, 1987

(Continued from the meetings of March 9, 1987, Item S403, and March 16, 1987, Item S402; last continued at the City Manager's request, to allow time for the Council to review the latest report from the City Manager's Office.)

Approving the list of transportation projects shown on attachment "A" to City Manager Report CMR-87-78 for inclusion in the SANDAG expenditure plan of the proposed

1/2 percent sales tax initiative.

(See memorandum from the City Manager dated 3/16/87 and City Manager Report CMR-87-78.)

COMMITTEE ACTION: Reviewed by RULES on 3/4/87. Recommendation to send to Council without a recommendation. Districts 2, 3, 4 and Mayor voted yea. District 6 not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D150-E243.)

Motion by Struiksma to adopt and designate Council Member Struiksma to be the spokesperson to promote the initiative on behalf of the Council. Second by McCarty. No vote.

MOTION BY WOLFSHEIMER TO CONTINUE TO MARCH 30, 1987, AT HER REQUEST. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S502: (R-87-1635) ADOPTED AS RESOLUTION R-267930

(Trailed from the meeting of March 9, 1987; Continued from the meetings of March 10, 1987, Item 113, and March 16, 1987, Item S407; last continued at Council Member Wolfsheimer's request that additional language be added to the agreement to indicate that the regulations by the Department of Fish and Game and the California Coastal Commission are re-mitigation requirements.)

Authorizing the execution of a first amendment to agreement with Atkinson, Johnson and Spurrier, Inc. for the improvement of Sorrento Valley Road from Sorrento Valley Boulevard to 3,300 feet northerly; authorizing the expenditure of an amount not to exceed \$20,000 from Capital Outlay Fund 30245, CIP-52-099.4, "Sorrento Valley Road - Sorrento Valley Boulevard to 3,300 feet northerly", for the purpose of providing funds for the above project.

(North University Community Area. District-1.)

CITY MANAGER REPORT: On September 12, 1983, by Resolution R-259202, the Council authorized an agreement with Atkinson, Johnson and Spurrier, Inc. to provide Phase II engineering services for the improvement of Sorrento Valley Road from Sorrento Valley Boulevard to 3,300 feet northerly. This project has qualified for approximately 86 percent Federal participation under the Federal Aid Urban (FAU) Program. The preliminary alignment and grade for this road was approved four years ago as part of the environmental documents, and the plans were completed in accordance with that proposal. Portions of the

project lie within the 100-year floodplain and will be subject to periodic flooding.

It has now been determined after further analysis of the floodplain that a significantly greater flood protection can be achieved through minor redesign. The accompanying first amendment authorizes the consultant to modify the plans to reflect currently higher design standards and further reduce flooding potential for the roadway. The California Coastal Commission and California Fish and Game agencies have recently mandated mitigating measures that must be included in the project. This amendment provides additional compensation to the consultant to include riparian habitat enhancement work in the contract documents. Also, right-of-way negotiations require that additional drainage facilities be provided by the project which are beyond the consultant's scope of work.

Aud. Cert. 8700659.

FILE LOCATION: MEET CONTFY87-1

COUNCIL ACTION: (Tape location: C315-327.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-yea.

ITEM-S503: (R-87-1874) ADOPTED AS RESOLUTION R-267931

Recognizing February 14, 1987 as the 100th Anniversary of the naming of Golden Hill by its early residents, and encouraging its current residents to continue to be proud of residing in this historic area of San Diego.

(Golden Hill Community Area. District-8.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A057-093.)

MOTION BY BALLESTEROS TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-S504: (R-87-1764) ADOPTED AS RESOLUTION R-267932

Authorizing the execution of an approval to the Assignment and Assumption of Lease and Consent to Assignment Agreement with George E. and Shirley Eckel, and a First Amendment to the Lease Agreement with Topaz Four.

(See City Manager Report CMR-87-112.)

COMMITTEE ACTION: Reviewed by PFR on 3/11/87. Recommendation



to adopt the Resolution. Districts 2, 3, 5 and 7 voted yea.

District 8 not present.

FILE LOCATION: LEAS LEASFY87-1

COUNCIL ACTION: (Tape location: A357-385.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S505: (R-87-1892) ADOPTED AS RESOLUTION R-267933

Authorizing the City Manager to issue a Request for Proposals (RFP) to qualified developers interested in the development and operation of a landfill gas recovery system at the South Chollas Landfill.

(See City Manager Report CMR-87-123 (Revised). Mid-City Community Area. District-3.)

COMMITTEE ACTION: Reviewed by PSS on 3/18/87. Recommendation to adopt the Resolution. Districts 1, 3, 4 and 7 voted yea. District 2 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C328-334.)

MOTION BY McCARTY TO ADOPT. Second by Jones. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-yea.

\* ITEM-S506: (R-87-1667) ADOPTED AS RESOLUTION R-267934

Declaring, pursuant to Health and Safety Code Section 33130, that the minutes of the City Council and the Redevelopment Agency reflect the disclosure by Council Member William D. Jones of his ownership interest in certain properties located at 3055 "L" Street, San Diego, California, which is in the Dells and Imperial Redevelopment Project Area.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A357-385.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S507: (O-87-179) INTRODUCED, TO BE ADOPTED APRIL 6, 1987

Introduction of an Ordinance amending Ordinance O-16695 (New Series), dated August 11, 1986, limiting the issuance of building permits which require sewer hookups in the Sewer Pump Station No. 64 service area within the City of San Diego.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G660-H114.)

Motion by Wolfsheimer to direct the City Manager to redocket Item S406 from Council Docket of March 9, 1987, to be brought back to Council for reconsideration on March 30, 1987. Second by Cleator. Passed: 7-0. Not present-3,8.

MOTION BY CLEATOR TO INTRODUCE THE ORDINANCE APPROVING ITEMS A-E AS RECOMMENDED IN THE CITY MANAGER'S REPORT NO. 87-150, DATED MARCH 20, 1987. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-yea.

PUBLIC COMMENT:

None.

NON-DOCKET ITEM:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 5:00 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H115-120.)

MOTION BY CLEATOR TO ADJOURN IN HONOR OF THE MEMORY OF ROSE DeVITO. Second by Jones. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-yea.